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Lawyer Defends FBI Break-Ins

By Bruce Howard

Washington Post Staff Writer

Radical groups allegedly burglarized by FBI agents in New York were financed and supported by "foreign hostile governments," according to a lawyer representing approximately 20 FBI agents who are under investigation by the Justice Department for the burglaries.

Jack B. Solerwitz, a lawyer in Minicola, N.Y., said his clients were "very disappointed that the Justice Department did not take the trouble to fully investigate this matter before leaking allegations to the media and empanelling a grand jury."

Solerwitz said that a full Justice Department investigation "would have discovered that the investigations that were conducted by the FBI agents, and which are now the subject of the Justice probe, involved foreign hostile governments that appeared to be supporting, financing and backing the organizations."

Solerwitz noted that the courts have interpreted the Constitution as permitting considerably freer government investigation of groups with foreign ties than of those without.

For example, he said, the courts have not denied the government's right to wiretap without a warrant persons connected with foreign hostile governments. But the government does have to obtain a warrant for wiretaps on persons without foreign ties.

The Justice Department's Civil

Rights Division is investigating a number of burglaries conducted by New York FBI agents against radical organizations during the past five years.

Sources have said that more than 30 FBI agents have been notified by the Justice Department that they are under investigation for participating in the burglaries.

The break-ins, conducted without search warrants, are being investigated under federal civil rights statutes protecting targets without foreign intelligence connections, according to Justice sources.

In addition to the Justice Department probe, the Socialist Workers Party, a Marxist group, has filed a \$37 million civil damage suit against the FBI, the CIA and other government agencies, charging that the government illegally burglarized and harassed the party.

Solerwitz indicated he learned of the connections between the domestic organizations investigated by the New York FBI and the foreign governments from classified FBI documents provided to him for the preparation of the legal defense of his clients.

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Remarks:

[redacted] called to say that ~~in~~ on Friday there will be a court hearing in N.Y. on the Socialist Workers Party case. Judge will reveal that there was a hearing in chambers at which a CIA official testified on secret matters.

[redacted]

If queried: ① We do not discuss matters before a court
② Yes, there was a hearing in chambers - period.

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